Page: 1/1

#### Lance J. M. Steinhart, P.C.

Attorney At Law
1725 Windward Concourse
Suite 150
Alpharetta, Georgia 30005

Also admitted in New York And Maryland

Telephone: (770) 232-9200 Facsimile: (770) 232-9208

November 30, 2011

#### <u>VIA FAX AND</u> <u>OVERNIGHT DELIVERY</u>

Ms. Jocelyn G. Boyd Chief Clerk/Administrator SC Public Service Commission 101 Executive Center Dr., Ste. 100 Columbia, SC 29210 (803) 896-5100

RE: Broadband Dynamics, L.L.C. Docket No. 2011-445-C

At this time, I would like to request an extension of time to submit prefiled testimony for the above-referenced matter to December 1, 2011.

I have enclosed an extra copy of this letter to be date-stamped and returned in the enclosed envelope provided.

If you have any questions, please feel free to give me a call or e-mail at (678) 672-2838 or jwillis@telecomcounsel.com.

Respectfully submitted,

# Janet Willis

Janet Willis Legal Assistant to Lance J.M. Steinhart 173072011 18:04 From: SC Prefile Angela Janssen



Lance J.M. Steinhart, P.C.

Attorney At Law 1725 Windward Concourse Suite 150 Alpharetta, Georgia 30005

Also Admitted in New York and Maryland

Telephone: (770) 232-9200 Facsimile: (770) 232-9208

Page: 1/8

Email: lsteinhart@telecomcounsel.com

November 30, 2011

#### VIA FAX AND OVERNIGHT DELIVERY

Ms. Jocelyn G. Boyd Chief Clerk/Administrator SC Public Service Commission 101 Executive Center Dr., Ste. 100 Columbia, SC 29210 (803) 896-5100

Re:

BROADBAND DYNAMICS, L.L.C.

Docket No. 2011-445-C

Dear Ms. Boyd:

Enclosed please find for filing an original and twenty-five (25) copies of the company's pre-filed testimony. The company does not intend to engage in telemarketing in the State of South Carolina.

I have enclosed an extra copy of this letter to be date-stamped and returned to me in the self-addressed, postage prepaid envelope I have provided.

If you have any questions or if I may provide you with any additional information, please do not hesitate to contact me. Thank you.

Respectfully submitted,

# Janet Willis

Janet Willis
Legal Assistant to Lance J.M. Steinhart
Attorney for BROADBAND DYNAMICS, L.L.C.

**Enclosure** 

Robert S. Rife (w/enc)

Nanette S. Edwards – ORS via e-mail: nsedwar@regstaff.sc.gov

Scott Elliott via e-mail: selliott@elliottlaw.us

Jackie Livingston via e-mail: <u>jlivingston@elliottlaw.us</u>

IN RE: APPLICATION OF

1

2

3

5

6

7

8

9

10

#### Page: 2/8

#### BEFORE THE

#### PUBLIC SERVICE COMMISSION OF

#### SOUTH CAROLINA

#### **DOCKET NO. 2011-445 -C**

)

BROADBAND DYNAMICS, L.L.C.  FOR AUTHORITY TO OPERATE AS A  RESELLER OF INTEREXCHANGE  TELECOMMUNICATION SERVICES  WITHIN THE STATE OF  SOUTH CAROLINA AND FOR APPROVAL  DIRECT TESTIMONY  OF ROBERT S. RIFE  )  SOUTH CAROLINA AND FOR APPROVAL							
OF A	OF ALTERNATIVE REGULATION )						
	I. Introduction						
1.	Q.	Please state your name and business address.					
	A.	My name is Robert S. Rife. My business address is 8757 East Via De Commercio,					
		First Floor, Scottsdale, Arizona 85258.					
2.	Q.	By whom are you employed and in what capacity?					
	A.	I am Manager of Broadband Dynamics, L.L.C. ("Broadband Dynamics").					
3.	Q.	Please give a brief description of your background and experience in business					
		and telecommunications.					
	A.	My background and experience, as well as other members of the management team					
		of Broadband Dynamics, is set forth in Attachment 4 to our application.					

1	4.	Q.	What is the purpose of your testimony?	•
---	----	----	--	---

10

11

12

13

14

15

16

A.

A. The purpose of my testimony is to describe the nature of Broadband Dynamics's proposed service offering within the State of South Carolina, and to demonstrate its financial, managerial and technical ability to provide the telecommunications services for which authority is sought herein.

## 6 5. Q. Do you wish to incorporate by reference any documents into your testimony?

7 A. Yes. I wish to incorporate by reference the underlying Application filed in this proceeding and its associated attachments.

#### II. The Business of Broadband Dynamics

### 6. Q. Has Broadband Dynamics registered to do business in South Carolina?

Yes. Broadband Dynamics is an Arizona Limited Liability Company that has received authorization to transact business within the State of South Carolina. A copy of Broadband Dynamics's Articles of Organization is attached to the Application as Attachment "1" and a copy of the document of authorization from the State of South Carolina is attached to that Application as Attachment "2."

- 7. Q. Please describe the services Broadband Dynamics intends to provide within the
  State of South Carolina.
- Broadband Dynamics seeks authority to operate as a reseller of intraLATA and A. 3 interLATA intrastate telecommunications services to the public on a statewide 4 basis. Broadband Dynamics seeks authority to offer on a resale basis within South 5 Carolina intrastate, interLATA and, to the extent authorized by the Commission, 6 intraLATA direct-dialed services including (1+) service, flat rate service, 800 7 Broadband Dynamics seeks statewide authority to provide 8 inbound service. intraLATA services authorized by the Commission in Docket Nos. 92-182-C, 92-9 183-C, and 92-200-C. Broadband Dynamics has no plans at this time to construct 10 any telecommunications transmission facilities of its own and seeks no construction 11 authority. Broadband Dynamics will operate exclusively as a reseller. Broadband 12 Dynamics intends to engage in "switchless" resale. Broadband Dynamics will 13 arrange for the traffic of underlying subscribers to be routed directly over the 14 networks of Applicant's network providers. 15
- Q. What carrier will Broadband Dynamics utilize as its underlying carriers for
   services in South Carolina?

19

20

21

22

A. Broadband Dynamics intends to utilize Qwest and Global Crossing as its underlying carriers. Broadband Dynamics will choose its underlying carriers based upon the quality of service of the carrier properly certified by the Commission to provide such service.

1	9.	Q.	Does Broadband Dynamics currently provide intrastate telecommunications
2			services in any other state?
3		A.	Yes. Broadband Dynamics is currently authorized to provide these services in the
4			following states: Alabama, Arizona, Arkansas, California, Colorado, Connecticut,
5			District of Columbia (IXC), Florida, Georgia, Idaho, Illinois, Indiana, Iowa,
6			Kansas, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri,
7			Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New
8			York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Oklahoma,
9			Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, Utah,
10			Virginia, Washington, Wisconsin and Wyoming.
11	10.	Q.	Has Broadband Dynamics ever had an application for a certificate of public
12			convenience and necessity denied?
13		A.	No.
14	11.	Q.	Does Broadband Dynamics intend to file a tariff with the Commission?
15		A.	Yes. Broadband Dynamics filed a tariff along with its Application in this
16			proceeding which it will modify as necessary in order to meet the Commission's
17			requirements. We believe Broadband Dynamics's Tariff will comport with all
18			Orders, Rules, and Regulations of the Commission.

19 12. Q. Will Broadband Dynamics comply with the Commission's orders regarding the resale of interexchange carrier services?

Yes. Broadband Dynamics will at all times provide and market interexchange carrier services in accordance with current Commission policies. In addition, Broadband Dynamics at all times will provide interstate services in compliance with all FCC rules and regulations.

21

22

23

24

A.

11/30/2011 18:04

1	13.	Q.	Has Broadband Dynamics provided any intrastate telecommunications
2			services within the State of South Carolina?
3		A.	No it has not.
4	14.	Q.	What rates will Broadband Dynamics charge upon receipt of certification?
5		A.	Broadband Dynamics will charge the tariffed rates approved by the Commission.
6	15.	Q.	How will Broadband Dynamics market services in South Carolina?
7		A.	Broadband Dynamics intends to market its services via direct sales by Broadband
8			Dynamics's employees and independent sales agents.
9			III. Managerial, Technical and Financial Qualifications
10	16.	Q.	Does Broadband Dynamics have sufficient managerial, technical, and financial
11			resources and ability to provide the telecommunications services proposed in
12			its Application?
13		A.	Yes. Broadband Dynamics has sufficient technical, financial and managerial
14			resources and ability to provide the telecommunications services for which authority
15			is sought herein. Broadband Dynamics's personnel represent a broad spectrum of
16			business and technical disciplines, possessing many years of individual and
17			aggregate telecommunications experience.
18	•		My qualifications and experience are discussed on Attachment 4 to our
19			application, which attachment also supports Applicant's managerial and technical
20			ability to provide the services for which authority is sought herein.

1	17.	Q.	How does Broadband Dynamics handle customer service requests?
2		A.	Broadband Dynamics's customer service department handles all such requests.
3			Broadband Dynamics can be reached by toll free number.
4	18.	Q.	Please describe the financial condition of Broadband Dynamics.
5		A.	In support of Broadband Dynamics's financial ability to provide the services sought
6			herein, Broadband Dynamics's Balance Sheets as of October 31, 2009 and October
7		٠	31, 2010 and Profit & Loss Statements for the period ending October 31, 2009
8			and October 31, 2010 was submitted as Attachment 5 to the Application.
9			IV. Public Interest
10			
11	19.	Q.	How will residents of South Carolina benefit from Broadband Dynamics's
12			services and presence in South Carolina?
13		A.	Commission approval should bring the following long-term benefits to telephone
14			users:
15			(1) More competition, additional services and a better product at competitive
16			prices;
17			(2) Increased consumer choice as well as innovative telecommunications
18			services;
19			(3) Efficient use of existing communications resources as well as increased
20			diversification and reliability of supply of communications services;
21			(4) Development of an expanded telecommunications supply industry in South
22			Carolina;
23			

1			(5) An expanded tax base and revenue source for the State of South Carolina;
2			and,
3			(6) Additional sources of revenues for Local Exchange Companies through
4			access charges and billing and collection fees.
5 6	20.	Q.	Has the Company ever been the subject of an investigation by any state
7		,	Regulatory body or by the FCC?
8		A.	No.
9	21.	Q.	Will the Company agree to abide by and comply with the Commissions Rules
10		and l	Regulations and Commission Orders in its operations in South Carolina?
11		A.	Yes.
12	22.	Q.	Does this conclude your testimony?
13		A.	Yes. I would like to thank the Commission for this opportunity to provide
14			information relevant to Broadband Dynamics's Application and am ready to provide
15		•	any additional information that the Commission may need in making its decision
16			